

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

Kevin Turner and Shawn Wooden, *on behalf
of themselves and others similarly situated,*

Plaintiffs,

vs.

National Football League and NFL
Properties LLC, successor-in-interest to NFL
Properties Inc.

Defendants.

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: No. 2:12-md-02323-AB
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: MDL No. 2323
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: Hon. Anita B. Brody
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THIS DOCUMENTS RELATES TO:
ALL ACTIONS

ORDER

AND NOW this ____ day of _____, 2017, upon consideration of the Motion of Cash4Cases, Inc., Atlas Legal Funding LLC, Atlas Legal Funding I, LP, Atlas Legal Funding II, LP and Atlas Legal Funding III, LP for Leave to File a Sur-Reply Brief in further opposition to Co-Lead Class Counsel's Motion to (1) Direct Claims Administrator to Withhold Any Portions of Class Member Monetary Awards Purportedly Owed to Certain Third-Party Lenders and Claims Services Providers and (2) Direct Disclosure to the Claims Administrator of Existence of Class Member Agreements With All Third Parties (the "Motion for Leave"), and any response thereto, it is hereby ORDERED, ADJUDGED, and DECREED that the Motion for Leave is GRANTED.

It is FURTHER ORDERED that the Sur-Reply Brief attached to the Motion for Leave as Exhibit A is deemed filed as of the date of this Order.

Anita B. Brody
United States District Judge

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Proposed Intervenor Cash4Cases, Inc., Atlas Legal Funding LLC, Atlas Legal Funding I, LP, Atlas Legal Funding II, LP and Atlas Legal Funding III, LP (collectively, “Proposed Intervenor”), by and through their attorneys, hereby move for leave to file a Sur-Reply Brief in further opposition to Co-Lead Class Counsel’s Motion to (1) Direct Claims Administrator to Withhold Any Portions of Class Member Monetary Awards Purportedly Owed to Certain Third-Party Lenders and Claims Services Providers and (2) Direct Disclosure to the Claims Administrator of Existence of Class Member Agreements With All Third Parties. In support of this Motion, Proposed Intervenor state as follows:

1. Co-Lead Class Counsel filed Co-Lead Class Counsel's Motion to (1) Direct Claims Administrator to Withhold Any Portions of Class Member Monetary Awards Purportedly Owed to Certain Third-Party Lenders and Claims Services Providers and (2) Direct Disclosure to the Claims Administrator of Existence of Class Member Agreements With All Third Parties on October 23, 2017 (the "Motion to Withhold") (ECF No. 8470).

2. Proposed Intervenor filed their Motion to Intervene and Opposition to the Motion to Withhold on November 16, 2017 (ECF No. 8940).

3. Co-Lead Class Counsel filed a Reply Brief and Declaration in further support of the Motion to Withhold on November 30, 2017 (ECF No. 9113) which contain certain representations of facts that need to be addressed prior to the Court's ruling on the Motion to Withhold, including representations and arguments related to Co-Lead Class Counsel's relationship with certain third-party lenders.

4. A Sur-Reply Brief is necessary to address certain factual issues raised by Co-Lead Class Counsel's Reply Brief and Declaration.

5. The Sur-Reply, as attached hereto as Exhibit A, does not merely repeat the arguments set forth in the Proposed Intervenor's Opposition to the Motion to Withhold.

6. For the sake of clarity, Proposed Intervenor intend to file this Sur-Reply for the limited purpose of addressing factual issues raised by Co-Lead Class Counsel's Declaration and, for the reasons stated in their Motion to Intervene and Opposition to the Motion to Withhold (ECF No. 8940) do not consent to the Court's subject matter jurisdiction over the funding agreements that exist between certain Class members and the Proposed Intervenor, which are subject to binding arbitration provisions. Proposed Intervenor continue to reserve their rights to challenge jurisdiction based upon the agreements' binding arbitration provisions.

7. Accordingly, the Proposed Interveners respectfully request that the Court grant leave to file a Sur-Reply Brief in further opposition to the Motion to Withhold and deem the Sur-Reply attached hereto as Exhibit A filed. A proposed form of Order is attached.

WHEREFORE, Cash4Cases, Inc., Atlas Legal Funding LLC, Atlas Legal Funding I, LP, Atlas Legal Funding II, LP and Atlas Legal Funding III, LP, respectfully request that the Court grant them leave to file a Sur-Reply Brief in further support of their opposition to the Motion to Withhold.

Respectfully submitted,

Dated: December 7, 2017

/s/ Bridget C. Giroud

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CERTIFICATE OF SERVICE

I, Bridget C. Giroud, hereby certify that a true and correct copy of the foregoing Motion for Leave to File Sur-Reply along with the supporting documents, were served electronically via the Court's electronic filing system upon all counsel of record in this matter.

s/ Bridget C. Giroud

Bridget C. Giroud

Dated: December 7, 2017